IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 3848 of 2007(G)

PETITIONER:

N.V.VIJAYAKUMAR,
NAGAVALLIL HOUSE, KENICHIRA P.O.,
WAYANAD.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:
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1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
WAYANAD, REPRESENTED BY ITS SECRETARY.

2. REGIONAL TRANSPORT AUTHORITY,
WAYANAD, REPRESENTED BY ITS SECRETARY.

BY GOVERNMENT PLEADER SMT. N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/03/2007, ALONG WITH 4148/2007, 4321/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.3848/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REGULAR PERMIT DT.8.11.01 .

EXT.P2:- COPY OF THE NOTIFICATION DT.12.12.06.

EXT.P3:- COPY OF THE JUDGMENT IN WA.2056/O3 IN DT.21.10.04.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NOS. 3848, 4148 &

4321 OF 2007

JUDGMENT

The petitioners in these writ petitions are operating Light Motor Vehicles in Wayanad district on various routes. Now their applications for renewal are pending before the R.T.A., Wayanad. But, they have been served with a communication, stating that they should replace their vehicles with Heavy Passenger Vehicles, in view of the decision of the R.T.A dated 25.2.2004. Feeling aggrieved by the said communication, the petitioners have approached this Court.

2. This Court in similar cases has already issued directions to renew the permits and allow the petitioners therein to operate their Light Motor Vehicles till the Government take a decision in the matter, as directed by this Court in W.A.No.2056/2003. The petitioners have produced a copy of the said judgment as Ext.P3 in all these writ petitions. In view of the above position, the 1st respondent R.T.A is directed to renew the permits of the petitioners, provided their applications are otherwise in order. In other words, renewal shall not be rejected for the reason that the vehicles offered

are Light Motor Vehicles. But, after the decision of the Government, the petitioners can operate only subject to the terms contained therein.

The Writ Petitions are disposed of as above.

12th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/